

Re. : Amendment and Response to Office Action Mailed September 26, 2006
Appl. No. : 10/728,284
Filed : December 4, 2003

II. REMARKS

Claims 1, 2, 6, 7, 9, 11-14 and 21-22 were previously pending and the Office Action rejected Claims 1, 2, 6, 7, 9, 11-14 and 21-22. By the foregoing amendments, Applicants amended independent Claims 1 and 21; and cancelled Claim 2 without prejudice to further clarify, more clearly define, broaden the claimed invention and/or expedite receiving a notice of allowance. Pursuant to 37 C.F.R. § 1.121(f), no new matter is introduced by these amendments. Applicants believe that Claims 1, 6, 7, 9, 11-14 and 21-22 are in condition for immediate allowance.

Please note that Applicants' remarks are presented in the order in which the issues were raised in the Office Action for the convenience and reference of the Examiner. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' discussion and understanding of the references, if any, is consistent with the Examiner's. Further, the following remarks are not intended to be an exhaustive enumeration of the distinctions between any particular reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and that reference.

Response to the Objection to the Specification

The Office Action objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. The Office Action stated that correction of the following is required: first and second brackets are not described in the specification. They are shown in the drawings, but do not have reference numbers.

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Applicants respectfully traverse this objection because specification and drawings provide proper antecedent basis for the claimed subject matter. Applicant will submit amended drawings with the reference numbers and amend the specification accordingly when the Examiner indicates that the claims are in condition for allowance.

Response to the First Section 102(e) Rejection

The Office Action rejected Claims 1, 6, 7, 9 12-14, 21 and 22 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0233967 to Lin. The Office Action states in the embodiment in Figures 1 and 2, the Lin publication teaches a table with a table top (1). The Office Action also states the following: the table top (1) has a top surface and a bottom surface; a frame structure (2) made of metal; a mounting structure (12) centrally disposed on the bottom surface; the mounting structure (12) including a first connecting member (A') and a second connecting member (B'); a first and second leg assembly (23, 24) attached to the table top; a first support assembly (25) attached to the first leg assembly (23, 24) and to a first connecting rod (G'); the first connecting rod (G') is connected to the first and second connecting member (A', B') and second connecting rod (H') is also connected to the first and second connecting member (A', B'); a second leg assembly (23, 24) has a second support assembly (25) connected to the second connecting rod (H'); a first handle (E') is attached to the inner side of the first connecting member (A') and the first connecting member has a c-shape with the middle space (14) allowing for a person to place their fingers around the handle (E'); the handle (E') is considered spaced apart from the connecting rods (26) since the handle (E') is only received by a person's hand at the space (14) and the ends of the c-shaped first connecting member (A') act to

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space apart the handle (E') from the connecting rod (26); the handle (E') is formed discretely or from a separate piece than the first connecting member (A'); and a second handle (F') is attached to the inner side of the second connecting member (B') and disposed between the first and second connecting rod (26).

Applicants respectfully traverse this rejection at least because the Lin publication fails to disclose each and every limitation of Claims 1, 6, 7, 9 12-14, 21 and 22. Nevertheless, as mentioned above, to further clarify, more clearly define and/or broaden the claimed invention, and expedite receiving a notice of allowance, Applicants amended Claims 1 and 21.

For example, Applicants amended Claim 1 to provide "wherein the handle has a generally L-shaped configuration and is constructed from angled L-iron." Thus, Claim 1 now positively recites the handle has a generally L-shaped configuration and is constructed from angled L-iron. In addition, Applicants amended Claim 21 to provide "the first handle having a generally L-shaped configuration and being constructed from metal." Therefore, Claims 21 now positively recites the first handle has a generally L-shaped configuration and is constructed from metal.

In contrast, the Lin publication does **not** disclose a handle with a generally L-shaped configuration that is constructed from angled L-iron or a first handle with a generally L-shaped configuration that is constructed from metal. Accordingly, Applicants submit that Claims 1 and 21 are allowable over the cited references and request that this Section 102(e) rejection be withdrawn. In addition, Applicants submit that Claims 6, 7, 9, 11-14 and 22, which are dependent on Claims 1 and 21, respectfully, are allowable for at least the same reasons as Claims 1 and 21. Thus, Applicants respectfully request that this Section 102(e) rejection be withdrawn.

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Response to the Second Section 102(e) Rejection

The Office Action rejected Claims 1, 6, 7, 12-14, 21 and 22 under Section 102(e) as being unpatentable over the Lin publication.

Applicants respectfully traverse this rejection. Nevertheless, as discussed above, Applicants amended Claims 1 and 21 in view of the Lin publication and Claims 1 and 21 are now allowable in view of the Lin publication. Thus, Applicants request that this Section 102(e) rejection be withdrawn. In addition, at least because Claims 2, 6, 12-14 and 22 are dependent upon amended Claims 1 and 21, respectively, these claims should be allowable for at least the same reasons. Consequently, Applicants request that this Section 102(e) rejection be withdrawn.

Response to the First Section 103(a) Rejection

The Office Action rejected Claim 11 under 35 U.S.C. § 103(a) as being unpatentable over the Lin publication. Applicants respectfully traverse this rejection because the cited reference fails to teach, suggest or disclose each and every limitation of Claim 11. Nevertheless, as discussed above, Applicants amended Claim 1 in view of the Lin publication. Consequently, Applicants submit that Claim 11, which depends from independent Claim 1, is allowable for at least the same reasons. Therefore, Applicants request that this Section 103(a) rejection be withdrawn.

Response to the Second Section 103(a) Rejection

The Office Action rejected Claims 9 and 11 under 35 U.S.C. § 103(a) as being unpatentable over the Lin publication. Applicants respectfully traverse this rejection because the

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cited reference fails to teach, suggest or disclose each and every limitation of Claims 9 and 11. Nevertheless, as discussed above, Applicants amended Claim 1 in view of the Lin publication. Consequently, Applicants submit that Claims 9 and 11, which depend from independent Claim 1, are allowable for at least the same reasons and request that this Section 103(a) rejection be withdrawn.

Allowable Subject Matter

The Office Action stated that Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In order to further clarify, more clearly define, broaden the claimed invention and/or expedite receiving a notice of allowance, Applicants cancelled Claim 2 and amended Claims 1 and 21 accordingly. Thus, Applicants believe that Claims 1, 6, 7, 9, 11-14 and 21-22 are now in condition for immediate allowance.

CONCLUSION

In view of the foregoing, Applicants submit that Claims 1, 6, 7, 9, 11-14 and 21-22 are allowable over the cited references and are in condition for allowance. Accordingly, Applicants request that a Notice of Allowance be promptly issued.

If any further impediments to allowance of this application remain, the Examiner is cordially invited to contact the undersigned by telephone so that these remaining issues may be promptly resolved.

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The Commissioner is authorized to charge payment of any additional fees associated with this communication, which have not otherwise been paid, to Deposit Account No. 23-3178. If any additional extension of time is required, which have not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: March 26, 2007

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